

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NIPPON SHINYAKU CO. LTD.,)	
)	
Plaintiff,)	
)	C.A. No. 21-1015 (GBW)
v.)	
)	DEMAND FOR JURY TRIAL
SAREPTA THERAPEUTICS, INC.,)	
)	
Defendant.)	
)	
SAREPTA THERAPEUTICS, INC. and THE)	
UNIVERSITY OF WESTERN AUSTRALIA)	
)	
Defendant/Counter Plaintiffs,)	
)	
v.)	
)	
NIPPON SHINYAKU CO., LTD.)	
and NS PHARMA, INC.)	
)	
Plaintiff/Counter Defendants.)	

**PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT NO. 4 -
NO ANTICIPATION**

Pursuant to Federal Rule of Civil Procedure 56, plaintiff Nippon Shinyaku Co., Ltd. hereby moves for partial summary judgment no anticipation of claim 3 of the ’092 Patent, claim 2 of the ’461 Patent, and claims 1-4 of the ’217 Patent. The grounds for the instant motion are set forth in the accompanying opening brief in support, which is incorporated herein by reference.

Dated: December 11, 2023

Respectfully submitted,

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